

04/11/01

04-13-01

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-68983-1/RFT/RMS/RMK

## Anticipated Classification of this Application:

Class: Subclass:

## Prior Application

Examiner:  
Art Unit:

## Box PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

- Original
- Continuation
- Divisional
- Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

David A. HORWITZ  
(Names of ALL Applicants)for METHOD TO PREVENT GRAFT REJECTION USING TGF- $\beta$  TO INDUCE T SUPPRESSOR CELLS  
(Title of Invention)

This is a continuing application under 35 U.S.C. 119/120/121 of

U.S. Patent Application Serial No. 60/196,446, filed April 11, 2000

1. (a)  Enclosed is a new application.
- (b)  Enclosed is a continuation-in-part application.
- (c)  Enclosed is a copy of the prior application.
2. (a)  Enclosed is a new Declaration.
- (b)  Enclosed is a copy of the prior Declaration as originally filed.
3. (a)  Enclosed is a Small Entity Affidavit.
- (b)  A Small Entity Affidavit is of record in the prior application.
- (c)  Applicant claims small entity status. See 37 CFR 1.27.
4.  The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			RATE	Fee	Rate	Fee
<b>BASIC FEE</b>				\$355		\$690
<b>TOTAL CLAIMS</b>	<u>4</u> - 20 =	0	× 9 =	\$	× 18 =	\$
<b>INDEP CLAIMS</b>	<u>2</u> - 3 =	0	× 39 =	\$	× 78 =	\$
<b>MULTIPLE DEPENDENT CLAIM PRESENTED</b>	<u>yes</u>	<u>no</u>	+130 =	\$	+260 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			<b>TOTAL</b>	<b>\$355</b>	<b>TOTAL</b>	<b>\$</b>

5.  The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. \_\_\_\_\_).
6.  Our check No. 35224 in the amount of \$355.00 is enclosed.  
 The filing fee is NOT being submitted with this transmittal letter.
7.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8.  Amend the specification by inserting before the first line the sentence:
9. (a)  Eight (8) Informal drawings are enclosed.  
(b)  Formal drawings are enclosed.
10. (a)  This application claims the benefit of the priority date of provisional application 60/196,446, filed April 11, 2000 which is expressly incorporated by reference.  
(b)  The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

11.  The prior application is assigned of record to \_\_\_\_\_

12.  The power of attorney in the prior application is to:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (a)  The power appears in the original papers in the prior application.  
(b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c)  A new power has been executed and is enclosed.  
(d)  Address all future communications to:

Robin M. Silva  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

13.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

14.  I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_ as originally filed on \_\_\_\_\_.

Date: 4/11/01

Signature: 

RENEE M. KOSSAK, Reg. No. 47,717  
For ROBIN M. SILVA, Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
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Attorney or agent of record

Filed under Section 1.34(a)